

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x  
Ernesto Munoz,

Plaintiff,

- against -

City of New York, et al.,

Defendants.

-----x  
AMON, Chief United States District Judge.

NOT FOR PUBLICATION  
**MEMORANDUM & ORDER**  
10-cv-1041 (CBA) (JO)  
**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ MAR 29 2013 ★

**BROOKLYN OFFICE**

On March 8, 2010, plaintiff Ernesto Munoz filed the instant action pursuant to 42 U.S.C. § 1983 claiming, *inter alia*, false arrest, false imprisonment, and excessive force arising out of his November 21, 2008 arrest. Upon consent of the parties, Magistrate Judge James Orenstein first stayed this action on March 2, 2011 pending Defendant Police Officer Stephen Murphy's tour of military duty. By letter dated March 5, 2013, counsel for defendants informed the Court that Officer Murphy's tour of duty has been extended. Again upon consent of the parties, Magistrate Judge Orenstein ordered that the stay remain in effect until Officer Murphy's return to work at the New York Police Department. As such, the Clerk of Court is directed to administratively close the case during the pendency of the stay. Defendants are directed to advise the Court when Officer Murphy has returned to work at the NYPD and move the Court to restore the matter to the Court's calendar at that time.

SO ORDERED.

Dated: Brooklyn, New York  
March 28, 2013

s/Carol Bagley Amon

Carol Bagley Amon  
Chief United States District Judge